

Juvenile Council Meeting Minutes

**July 7, 2014
1:00 p.m. – 3:00 p.m.**

**Department of Public Safety & Correctional Services
300 E. Joppa Road
4th Floor Conference Room
Baltimore, MD 21286**

Participating Members:

Keith Warner, Vice Chair
Heber Watts, Immediate Past Chair
Zachary Caplan
Lynn Davis
Bruce Edwards
Maceo Hallmon
Musa Hammett
Michelle Becote-Jackson
Tara Jackson
Kenya Lee (phone)
Leon Lockett (phone)
John McGinnis
Adia Moore (phone)
Erica Rosen
Delegate Geraldine Valentino-Smith (phone)
Patricia Smith
Derrick Watson

Guests:

Jourdane Hamilton, Youth Member (Applicant)
Rhea Harris, Assistant Secretary/Chief of Staff, DPSCS
Dave Wolinski, Special Assistant to the Assistant Secretary/Chief of Staff, DPSCS

Staff:

Jessica Wheeler, Director of Juvenile Justice
Justice Schisler, Eastern Region Chief
Bill Harper, Juvenile Justice Compliance Monitor
Shanelle Johnson, State DMC Coordinator

I. Welcome and Opening

The meeting was called to order at 1:07 p.m. Members and guests introduced themselves. Two new members, Erica Rosen and Musa Hammett introduced themselves and were welcomed by the Council.

II. Approval of Minutes

Members were provided with minutes from the May 2014 meeting. Ms. Davis made a motion to approve the minutes. Captain Watts seconded the motion. All were in favor and the minutes were approved.

III. Prison Rape Elimination Act (PREA) Update

As requested by Council members during the previous meeting, the PREA Coordinators from DPSCS and DJS were invited to provide the Council with an update on Maryland's PREA compliance. Ms. Wheeler reminded members that Maryland's Title II Formula grant from OJJDP is reduced by 5% and the State must use the funding to become fully compliant with the juvenile standards.

Ms. Harris announced that DPSCS has released its annual report on PREA which is available at www.dpscs.state.md.us. The report summarizes the data collected from inmate calls to the PREA hotline, case outcomes, and progress in achieving full PREA compliance. DPSCS has not received a federal audit; however, they hope to begin audits on its facilities in August 2014.

As far as the youthful inmate standards, all juveniles statewide (detained and sentenced) will be housed at the Baltimore Pre-Release Unit (BPRU) in approximately 15 months. The BPRU will be renovated to accommodate this population.

Captain Warner asked if the PREA hotline was available to the county detention centers. Ms. Harris stated that the hotline is only available to state-run correctional facilities. The localities will need to implement their own hotline. Ms. Davis asked if the PREA regulations include the local jurisdictions. Ms. Harris cited a recent Maryland Attorney General opinion which stated that the counties are not required to comply with PREA unless they house federal or state detainees. Ms. Harris noted that there are a number of counties who have agreed to comply with PREA even though they are not required.

There was a discussion regarding whether a state's performance would be measured based on a decrease in sexual assaults in prisons. Ms. Harris noted that this is not currently in the standards. Mr. Wolinski stated that there may be an influx in cases due to the fact that inmates are now being provided with more resources to report these crimes than they have been afforded in the past.

IV. Compliance Monitoring Updates

Mr. Harper provided members with the State's Compliance Monitoring Plan which was submitted to OJJDP on June 30, 2014. Mr. Harper also provided members with the current number of violations to date. There are a significant number of jail removal violations occurring due to a conflict between state and federal law as it pertains to juveniles charged with misdemeanors and being held in adult jails and detention centers. State law allows for this, however, under the JJDP, juveniles charged with misdemeanors are prohibited from being housed in an adult jail or detention center. Delegate Valentino-Smith requested additional information about this issue to determine if state legislation is needed.

Mr. Harper also noted that he will be conducting a site visit at the new Baltimore City Curfew Centers to ensure that they will not pose compliance monitoring issues. Mr. Harper has been assured by the Mayor's Office on Criminal Justice that these centers will be similar to recreation centers. Mr. Hallmon stated that he has been told that the primary purpose will be to connect the youth and families to services. Several members were unclear as to whether the youth will be considered detained, arrested, or will be free to leave at any time. Mr. Harper will continue to keep the Council informed.

V. State DMC Coordinator Updates

Ms. Johnson provided members with the State's DMC Plan which was submitted to OJJDP on June 30, 2014. For the first time, arrest data from two DMC sites (Baltimore City and Baltimore County) was used to calculate the Relative Rate Index (RRI). Previously, the Uniform Crime Report (UCR) data was used and is still used in four DMC sites. The State will continue to improve data collection from the local jurisdictions with the goal of utilizing local arrest data as the arrest source for RRI in all jurisdictions.

Ms. Johnson attended the Anne Arundel County DMC Committee meeting and reports that the county is seeing success with their community conferencing program with 96% of conferences ending in an agreement and compliance with the agreement. Ms. Johnson also attended the Montgomery County DMC Committee meeting and Elijah Wheeler, Montgomery County DMC Coordinator, was accepted as a Fellow at the Youth Justice Leadership Institute (YJLI). YJLI is part of the National Juvenile Justice Network (NJJN). Through this fellowship, Mr. Wheeler will gain further knowledge about juvenile justice system structures and reform needs, be trained in effective advocacy and organizing techniques necessary to achieve system change, and be mentored by advocates who are already steadily advancing system reforms.

The next DMC Subcommittee meeting will take place Thursday, July 10th from 12:30 p.m. – 3:30 p.m. at GOCCP. The subcommittee is working to develop a statewide strategic plan for DMC. The agenda for this meeting will consist of outlining goals for the plan. Once the goals are defined, the subcommittee will invite DMC experts to provide assistance with the plan's development.

VI. Juvenile Justice Specialist Updates

a. FY 2015 Awards

Ms. Wheeler provided members with a list of the juvenile justice awards that began on July 1, 2014.

b. Revised Guidance from OJJDP on Core Protections

During mandatory training in June, OJJDP announced new guidance. The new guidance means that OJJDP is moving away from an understanding of “detained” or “confined” as being synonymous with “secure custody” to an understanding that detained or confined must, within the context of statute, include juveniles confined in non-secure settings.

This guidance has broad implications for compliance monitoring logistics. States are in the process of formulating a response to this new guidance through the Coalition of Juvenile Justice and the National Criminal Justice Association. OJJDP has agreed to host listening forums in the Fall to further explain this guidance and provide additional background information such as new case law.

c. JJDPA Reauthorization

During the CJJ Annual conference, it was announced that Senator Whitehouse from Rhode Island has agreed to bring the JJDPA forward for reauthorization in August prior to Congress going into recess. This will be a bipartisan bill. CJJ encouraged states to be cautiously optimistic, as the JJDPA is long overdue for reauthorization.

d. OJJDP Priorities

During his openings remarks at the CJJ conference, OJJDP Administrator Bob Listenbee outlined priorities for OJJDP. Those priorities, in short, are:

- Increase family and youth involvement
- Enhance the use of appropriate counsel for youth charged as adults
- Enhance the use of trauma-informed care
- Increase police training and partnership (cited Connecticut as a model)
- Building Communities in Trust Initiative (solicitation just closed)
- Smart on Juvenile Justice: Technical Assistance to End Racial and Ethnic Disparities in the Juvenile Justice System
 - This solicitation will establish the Technical Assistance Center to End Racial Disparities in the Juvenile Justice System, which will provide tailored education, training and technical assistance, and resources to state, local, and tribal governments and private organizations to help them address their needs in reducing disproportionate minority contact.
- School to Prison Pipeline
- Increase use of Evidence-Based Practices, Justice Reinvestment
 - Cited programs: Drug Courts, Re-entry and Aftercare, Children with Incarcerated Parents, Fatherhood programs

- Smart on Juvenile Justice Initiative: \$10 million awarded in FY 15.
 - Through this solicitation, OJJDP will make an award to an organization/partnership of organizations to provide intensive, targeted, training and technical assistance to Hawaii, Kentucky, and Georgia to ensure successful implementation of their juvenile justice reforms. The provider will assist state policy, judicial leaders and agency staff with implementing policy changes. Potential activities will be tailored to the specific state.

VII. Youth Subcommittee Update

Zachary Caplan announced that the Youth Subcommittee convened their most recent meeting prior to the Juvenile Council meeting. The members met with a youth SAG member from New York via Skype to discuss initiatives that the youth members have been able to implement in New York. The youth subcommittee continues to pursue focus groups with youth involved in the juvenile justice system. The subcommittee continues to set goals and define member roles.

VIII. Adjournment

The meeting was adjourned at 2:56 p.m.

NEXT MEETING:

Monday, September 8, 2014
1:00 p.m. – 3:00 p.m.